

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20CV525-GCM

DAVID WAYNE MOORE,

Plaintiff,

vs.

CITY OF CHARLOTTE,

Defendant.

ORDER

This matter is before the Court upon its own motion. Defendant has filed a Motion to Dismiss Portions of the Plaintiff's Complaint with Prejudice, arguing that certain claims were filed outside of the applicable statutes of limitations periods as a result of Plaintiff's failure to timely obtain an alias and pluries summons. It appears to the Court that the issue of equitable tolling may be relevant to the Motion, yet it is only addressed in two paragraphs in Defendant's Reply brief. Accordingly, the Court directs each party to file a supplemental brief addressing the issue of equitable tolling and whether it should be applied herein. Each brief shall be a maximum of 10 pages and shall be filed within 14 days of this Order.

IT IS SO ORDERED.

Signed: January 13, 2021



Graham C. Mullen
United States District Judge

